

**Town of Milton
Town Council Meeting Minutes
August 2, 2004**

7:15 p.m. – OPEN FLOOR:

Donna Johnson of Century 21 Rehoboth Bay Realty stated that she is here to clarify a misunderstanding and seek guidance regarding signage. She has taken her sign down. She doesn't think she is being treated fairly because 10 others are still up. She asked if there is selective enforcement? Flags have not been taken down either. She is the only one who took hers down.

Ed Harris stated that the Milton Garden Club is doing a great job. He asked about the status of the banners. Mrs. Jenkins stated that we still haven't gotten a definite answer. He asked about the status of hiring a Town Manager. Councilman Dvornick stated that Council has agreed to hire a Town Manager no later than December 31, 2004. Mr. Harris asked the status of the Preserve on the Broadkill construction site on Behringer Avenue and Chandler Street. He noted that there is mud throughout Town. The construction entrance is on Atlantic Avenue and shouldn't there be site barriers? The construction trucks speed on Behringer Avenue and Chandler Street. He asked if the Preserve is responsible for repairing "the hill". Councilwoman Betts stated that the Street Committee will see to it. The vacant properties downtown are an eyesore. The owners should be made to either develop it or resell it... He thinks the Granary being torn down was a travesty, and one week before the Historic Ordinance was adopted. The Town is losing it, that's why he is leaving Town. He has given up on Milton, the developers are trying to make a buck. The roads and sidewalks are a mess.

Donna Gordon of Cat Snippers reported that 12 cats have been spayed/neutered, and they have found homes for 4. Three of the cats that were spayed or neutered were from Poplar Street; they will be doing 2 more on August 9 and 2 more on August 30. They will be trapping in the Park on Sunday. They are actively working and making progress.

Councilwoman Betts offered the opening prayer, followed by the Pledge of Allegiance to the Flag.

Mayor Bushey called the roll.

PRESENT:	Mayor John Bushey
	Councilwoman Leah Betts
	Councilman Jerry Hudson
	Councilman Gene Dvornick
	Councilwoman Ronda Melson
	Councilman Charles Fleetwood

ABSENT:	Councilman Noble Prettyman
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Others Present: Jocelyn Jenkins, Town Clerk
 Eric Evans, Code Enforcer
 Stephanie Coulbourne, Finance Clerk
 Dawn Johnson, Administrative Assistant
 John Cornwell, Police Department
 Allen Atkins, Town Maintenance
 Robin Davis, Town Maintenance
 Bob Kerr, Engineer

Presentation and Approval of Minutes

The minutes of the last meeting were not ready for approval.

Committee Reports

Sewer & Water – Councilwoman Melson reported that the Committee recommended adjusting the bill for 302 Mulberry Street down to the minimum bill since the owners had a leak and the water did not go into the sewer.

Streets & Sidewalks – Councilwoman Betts reported that the Committee met and did a letter to Cannery Village regarding the Police Department and has received no response to date. The Bay Avenue and Marshall Street paving is complete. The Committee also met on July 15, 2004.

Ordinance – Nothing to report.

Personnel/Pension – Councilman Hudson reported that an Executive Session was necessary tonight just for addressing matters from employees.

EMPLOYEE OF THE QUARTER: Robin Davis was recognized as the Employee of the Quarter and presented with a plaque.

Parks & Recreation – Councilman Fleetwood reported that the Concerts in the Park are on-going. The Honey Combs will sing at National Night on August 4, 2004.

Economic Development – Nothing to report.

ADHOC Historic Preservation – Councilman Hudson reported that the Committee has forwarded the final draft to Tim Willard for comments.

Land Acquisition Committee – Councilman Dvornick stated that two positive responses have been received and meetings have been scheduled.

Planning & Zoning – Nothing to report.

Board of Adjustment – Nothing to report.

Milton Development Corporation – Councilwoman Betts reported that the air conditioning has been installed in the Theater and concerts should be able to be held there in the next few weeks if necessary.

Finance/Risk Management – Councilman Dvornick reported that the Committee met on July 7 to discuss the Police budget, July 13 to discuss the Administration budget, and July 20 regarding the Maintenance budget. On August 5 the Committee will meet again.

200th Anniversary – Councilman Fleetwood reported that the adult winner of the logo contest was: John David Elliott. The under 18 winner was: Lacey Hanwell.

Rails to Trails – Councilman Dvornick and Mayor Bushey asked Council if they were willing to proceed or not? There were questions regarding insurance, who would maintain the areas, and who would administer the project? It was noted by Councilwoman Melson that the Town employees don't have time to maintain the trail. Mayor Bushey stated that it would be up to the property owners to maintain it.

Councilman Hudson made a **motion** to proceed with the Rails to Trails and accept Transportation Enhancement grant, seconded by Councilman Fleetwood.

Roll Call Vote Motion carried – “6 Aye”

Written Reports

Maintenance Report

Councilman Fleetwood made a **motion** to approve the report from the Maintenance Department, seconded by Councilman Dvornick.

Motion carried – “Aye”

Code Enforcer Report

Councilwoman Melson made a **motion**, seconded by Councilman Fleetwood, to approve the Code Enforcer's Report.

Motion carried – “Aye”

Police Department Report

Councilman Dvornick made a **motion**, seconded by Councilwoman Dvornick, to approve the Police Department Report.

Motion carried – “Aye”

Town Clerk Report

Councilman Fleetwood made a **motion** to approve the Town Clerk's report, seconded by Councilman Dvornick.

Motion carried – “Aye”

Correspondence

Councilwoman Melson read letters from:

1. Sea Coast – regarding signage
2. Camenisch's of 302 Chestnut Street – asking the Council re-think the no parking on one side of Chestnut Street
3. Noble Prettyman – regarding Chestnut Street parking
4. Vicki Sammons – regarding Chestnut Street parking issue
5. Greg & Kristie Meili – regarding Chestnut Street parking
6. Marc Silverman – regarding EDU's for independent housing for the elderly
7. Tim Willard – regarding amending the Charter
8. Urquhart & Co – regarding sewer problem- referred to Water & Sewer Committee

Old Business

Annexation of Streets

Mayor Bushey reported that many of the streets join current Town limits and should be annexed for enforcement reasons. When Council placed the moratorium in April, they excluded streets for this reason.

Councilwoman Melson made a **motion** to accept the annexation of the streets as proposed tonight and highlighted, seconded by Councilman Fleetwood.

Councilman Dvornick asked if the Town then assumes responsibility for those street lights?

Staff Sergeant Cornwell stated that the State agrees that responsibility will remain unchanged.

The question was called on the motion.

Roll Call Vote

Motion carried – “6 Aye”

Annexation Fee and Schedule

Councilman Betts made a motion to table this item until the September meeting. The **motion** was seconded by Councilman Fleetwood.

Motion carried – “Aye”

Status of Alley on Behringer Avenue

Mayor Bushey read from Mr. Willard's memo. Letters are to go to the residents. Letters will also be sent to the residents by the Bay and Atlantic Avenue Alley.

Water & Sewer Update

The AdHoc Committee will meet on August 3, 2004 at 5:00 p.m. in the Fire Hall.

322 Union Street Partial Demolition

Councilman Dvornick made a **motion** to grant the request, seconded by Councilman Hudson.

Roll Call Vote Motion carried – “6 Aye”

Johnny Hopkins was present on behalf of the application.

Councilman Fleetwood asked if it meets the setbacks and zoning requirements. Mr. Evans stated that it does.

[illegible]

Councilwoman Betts made a **motion** to go with Lenny Gould and readdress the issue after 1 month. Councilman Fleetwood seconded the motion.

Roll Call Vote Motion carried – “5 Aye”
 1 No (Melson)

Councilman Fleetwood made a **motion** to grant the request with the stipulations as stated – 3 months for the waterfront signs and 2 years for the others.

Councilman Fleetwood made an amendment to the motion (accepted by Councilwoman Betts) to send the sign ordinance back to Planning & Zoning.

Roll Call Vote Motion carried – “6 Aye”

Motion carried – “Aye”

Construction Trailer vs. Sales Trailer

Marta Homes is requesting permission to place a trailer at the site for 5 months.

Councilman Dvornick made a **motion** to grant a 5-month permission to use the construction trailer as a sales trailer beginning September 1 until the spec home is complete. Councilman Hudson seconded the motion.

Roll Call Vote

Motion carried – “5 Aye”
1 No (Bushey)

Police SOP’s and Policies

This item was removed from the agenda.

Update to Employee Handbook – Personnel Committee

Councilman Hudson reported that the proposed amendment tonight allows one employee to donate sick time to another employee. The Personnel Committee recommends adoption.

Councilwoman Betts made a **motion** to approve the amendment, seconded by Councilman Hudson.

Motion carried – “5 Aye”
1 Absent (Fleetwood)

Other Business

Presentation of MADD Award

Pfc. Torres was presented with a MADD award by Mayor Bushey and Staff Sergeant Cornwell.

Signage Concerns – Donna Johnson

Councilwoman Betts made a **motion** to amend the decision regarding Century 21 to allow them to put the sign in question back up and to allow them to put the one on Route 16. Councilman Hudson seconded the motion.

Mr. Evans noted that it would be at their own risk, pending modification of the sign ordinance.

The question was called on the motion.

Motion carried – “Aye”

Adjournment

Councilman Dvornick made a ***motion*** to adjourn at 8:55 p.m., seconded by Councilman Hudson.

Motion carried – “Aye”

Respectfully submitted,

Dawn Johnson
Administrative Assistant

:9/7/04